



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,429	04/16/2004	Gregory Niles	18602-08907 (P3334)	9991
61520	7590	03/04/2009	EXAMINER	
APPLE/FENWICK SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			ABDUL-ALL, OMAR R	
			ART UNIT	PAPER NUMBER
			2178	
			MAIL DATE	DELIVERY MODE
			03/04/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/826,429

**Applicant(s)**

NILES ET AL.

**Examiner**

OMAR ABDUL-ALI

**Art Unit**

2178

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-42, 44-77, 79-104, 112 and 120 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-42, 44-77, 79-104, 112, and 120 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The following action is in response to the Request for Continued Examination (RCE) filed 12/18/2008. Claims 1-9, 11-42, 44-77, 79-104, 112, and 120 are pending and have been fully considered below. Claims 30, 65, 100, 104, 112, and 120 have been amended.

1. The prior art rejections of claims 30-33, 65-68, 100-104, 112, and 120 have been withdrawn as necessitated by applicants amendments.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-16, 25, 34-42, 44-50, 60, 69-77, 79-85, and 95 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356).

Claims 1, 34, and 69: Zhao discloses a user interface, method, and computer program product for editing within a single timeline, comprising:

a. an overview layer comprising first representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented

along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip (column 3, lines 27-61). Specifically, Zhao discloses a timeline pane which displays all of the tracks of a video story in the time sequence which they appear to construct the overall layout of the video story. However Zhao does not explicitly disclose the first representations are editable wherein editing a representation of a media clip manipulates the media clip. Weaver discloses a similar system for editing within a single timeline that further discloses editing representations of clips in an overview layer (Figure 5B 'V2') wherein editing the clip includes editing, compositing, and adding effects. A variety of effects can be applied to the containers, such as event based digital video editing effects. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide editable first representations in Zhao. One would have been motivated to provide editable first representations in Zhao in order to give the operator the ability to edit the properties of media.

Zhao modified by Weaver discloses for each media clip, a track comprising a second editable representation of the media clip, wherein the track is oriented along the axis representing time, and wherein the second editable representation has a dimension along the first axis representing the temporal length of the media clip and wherein the track and the overview layer are concurrently displayed. Zhao discloses a layer pane which includes all the layers of a selected video clip (Column 4, lines 31-60). The layer clips may be edited by trimming the clip or adjusting the volume or playback screen.

Weaver discloses second editable representations of clips (events) which can be edited and composited as desired (page 4, paragraph 64). The representations of events and sub-timelines are displayed concurrently in the timeline window in Weaver. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to concurrently display a track and overview layer in Zhao. One would have been motivated to concurrently display the track and overview layers in Zhao in order to manage complex projects and timeline renders.

Claims 2, 35, and 70: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses the first editable representation is updated responsive to edits made to the second representation (column 4, lines 45-67). Weaver further discloses the second editable representation is updated responsive to edits made to the first representation (page 4, paragraph 66). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to update the second editable representation responsive to edits to the first representation in Zhao. One would have been motivated to update the second representation in response to edits to the first representation to maintain consistency.

Claims 3, 36, and 71: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the overview layer comprises first editable representations of all media clips in the plurality of media clips(column 3, lines 27-42).

Claims 4, 37, and 72: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises first editable representations of all media clips that do not overlap media clips (Column 3, lines 27-42/Figure 3).

Claims 5, 38, and 73: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises an overlap region indicating the extent of the overlap (column 3, lines 27-42).

Claims 6, 39, and 74: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 5, 38, and 73 above, and Zhao further discloses:

a. the tracks for the overlapping media clips comprise editable representations of the overlapping media clips (column 4, lines 46-67).

Claims 7, 40, and 75: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the overview layer and each track are oriented along a first axis representing time, and wherein each first editable representation of a media clip is aligned along a second axis with a corresponding second editable representation of the same media clip (column 3, 27-42/Figure 5).

Claims 8, 41, and 76: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, and Zhao further discloses:

a. the first axis is horizontal and the second axis is vertical (Figure 5).

Claims 9, 42, and 77: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, but does not explicitly disclose the first axis is vertical and the second axis is horizontal. However, no patentable weight is given to the orientation of the axis and it would have been obvious to one having ordinary skill in the art at the time the invention was made that the axis could be oriented in either fashion. One would have been motivated to orient the first axis vertically and the second axis horizontally strictly for design choice.

Claims 10, 43, and 78: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, and Zhao further discloses:

a. each editable representation of a media clip has a dimension along the first axis representing the temporal length of the clip (Figure 4).

Claims 11, 44, and 79: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 10, 43, and 78 above, and Zhao further discloses:

a. the start and end locations of each editable representation represent the start and end time of the media clip media segments (Figure 4).

Claims 12, 45, 46, 80, and 81: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the timeline display is selectively collapsible to hide the tracks and selectively expandable to show the tracks (column 4, lines 9-30).

Claims 13, 47, and 82: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:



a. the timeline display comprises a plurality of overview layers, each overview layer being associated with at least one track (column 3, lines 27-60).

Claims 14, 48, and 83: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the media clips comprise video clips (column 4, lines 31-36).

Claims 15, 49, and 84: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. the media clips comprise audio clips (column 4, lines 31-36).

Claims 16, 50, and 85: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. each media clip can be shortened, lengthened, moved, or deleted responsive to user actions with respect to either of the representations of the media clip (column 4, lines 60-66).

Claims 25, 60, and 95: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses:

a. a canvas comprising spatially movable representations of at least a subset of the media clips (column 3, lines 11-18).

5. Claims 17-24, 51-59, and 86-94 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356) and further in view of Fasciano et al. (US 5,467,288).

Claims 17, 51, and 86: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, and Zhao further discloses dragging and dropping media clips to destinations (column 3, lines 43-60), but neither reference explicitly disclose a drop down menu is displayed in response to the user dragging a media clip to the destination location within the timeline display, the drop menu comprising a plurality of commands. Fasciano discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu could be displayed in response to dragging an object to the destination location within the timeline display in Zhao. One would have been motivated to display a drop down menu

in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different commands on the region.

Claims 18, 52, and 87: Zhao, Weaver, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an insert command that causes the dragged media clip to be composited with an existing media clip at the destination location (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to composite dragged media clips at the destination location in Zhao. One would have been motivated to include a composite command in the drop menu to allow the user to access more customization options.

Claims 19, 53, and 88: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be moved to make room for the dragged media clip (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to move existing media clips when a dragged media clip is placed at the destination

location in Zhao. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 20, 54, 55, 89, and 90: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 53, and 88 above, and Fasciano further discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be split to make room for the dragged media clip (column 11, lines 14-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to split existing media clips when a dragged media clip is placed at the destination location in Zhao. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 21, 56, and 91: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace an existing media clip at the destination location (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command in the drop down menu when a media clip is dragged to

a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 22, 57, and 92: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 23, 58, and 93: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length equaling the length of an existing media clip at the destination location, causes the dragged media

clip to replace the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length exceeding the length of an existing media clip at the destination location, causes the dragged media clip to be replaced by a portion of the dragged media clip having a length equal to the length of the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length that is less than the length of an existing media clip at the destination location, causes the dragged media clip to replace

a portion of the existing media clip, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Claims 24, 59, and 94: Zhao, Greenfield, and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, but neither reference explicitly discloses the drop menu is context sensitive based on the destination location. However, Fasciano does disclose that the drop menu is enabled when a region is selected in the timeline (column 6, lines 39-49), and it would have been obvious to one having ordinary skill in the art at the time the invention was made that this menu could be regarded as context-sensitive when an item is dragged to a destination location in Zhao. One would have motivated to include a context sensitive menu in order to enable a more efficient design environment.

6. Claims 104, 112, and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Fasciano et al. (US 5,467,288) and further in view of Reder et al. (US 6,727,919).

Claims 104, 112, and 120: Zhao discloses a user interface, method, and computer program product for editing within a single timeline further comprising receiving a user command to drag the media clip to the destination location (column 3, lines 11-18), but does not explicitly disclose in displaying in response to receiving the user command, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location. Reder discloses a similar method for editing within a single timeline, that further discloses a pop-up menu appears in response to a drag and drop operation. Fasciano discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Fasciano also discloses depending on the placement mode selected, an overwrite placement (composite command) operation is enabled or a replace command (exchange command). Though Fasciano does not explicitly disclose the composite command composites the dragged media clip with the second media clip such that both the dragged media clip and the second media clip are played simultaneously, the Examiner takes OFFICIAL NOTICE that it is old and well known in the computer arts to play composited tracks simultaneously through the use of crossfading. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu containing these commands could be displayed in response to dragging an object to the destination location within the timeline display in Zhao. One would have been motivated to display a drop down menu in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different



commands on the region. One would have been motivated to include a composite command that plays the composited clips simultaneously in order to enable the user to smoothly blend the audio mix.

Fasciano further discloses the exchange command replaces the entire second media clip having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Fasciano further discloses the exchange command replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Fasciano further discloses the exchange command replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the dragged media clip responsive to the second media clip having a length greater than

the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

7. Claims 26-29, 61-64, and 96-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Weaver et al. (US 2001/0036356) and further in view of Foreman et al. (US 2001/0040592).

Claims 26, 61, and 96: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the spatially moveable representations are updated responsive to edits made to the corresponding first or second editable representations in the timeline display. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially moveable representations are updated responsive to edits made to the corresponding first or

second editable representations in the timeline display in Zhao. One would have been motivated to update the spatially moveable representations in order to keep track of the changes made in the project.

Claims 27, 62, and 97: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the first and second editable representations in the timeline display are updated responsive to edits made to the corresponding spatially moveable representations. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are updated responsive to edits made to the corresponding spatially movable representations in Zhao. One would have been motivated to update the first and second editable representations in order to keep track of the changes made in the project.

Claims 28, 63, and 98: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the first and second editable

representations in the timeline display are selected responsive user selection of the corresponding spatially moveable representations. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are selected responsive to selecting the corresponding spatially movable representations in Zhao. One would have been motivated to select the first and second editable representations responsive to selecting the corresponding spatially moveable representations in order to keep track of the changes made in the project.

Claims 29, 64, and 99: Zhao and Weaver disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but neither reference explicitly discloses the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display. Foreman discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made that the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display in Zhao. One would have been motivated to select the spatially movable representations in response to selecting the corresponding first or second editable representations in order to keep track of the changes made in the project.

8. Claims 30-33, 65-68, and 100-103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Editing Techniques with Final Cut Pro by Michael Wohl (hereinafter Wohl).

Claims 30, 65, and 100: Wohl discloses a method for editing within a single timeline further comprising:

a. a canvas, comprising a representation of the project, wherein if the project is being played, the representation of the project shows the project as the project is playing (Working with Clips, page 2; play control that plays the project in the window) and wherein if the project is not being played wherein the representation of the project comprises a plurality of selectable and spatially moveable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project when the project is playing (Compositing, page 2-3).

Wohl discloses a timeline display representing a duration of the project comprising a timeline representation of each spatially movable canvas representation (Compositing, page 4-5) but does not explicitly disclose activating and deactivating the timeline display based on the selection. However, the Examiner takes OFFICIAL NOTICE that it is old and well known in the computer arts to activate and deactivate interface elements based on the selection of objects. For example, when a picture object is selected in Microsoft Word, an edit menu is displayed which supports multiple commands. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the timeline display is activated in response to selecting a media clip, and deactivated in response to no media clip being selected. One would have been motivated to activate and deactivate the timeline in response the selection or de-selection of media clips in order to enable the user to access the timeline only when necessary.

Claims 31, 66, and 101: Wohl discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, further comprising:

- a. each timeline representation of a media clip is editable (Compositing, page 6).

Claims 32, 67, and 102: Wohl discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above,

further comprising the spatially movable representations are updated responsive to edits made to the corresponding timeline representations (Compositing, page 6)

5. Claims 33, 68, and 103 rejected under 35 U.S.C. 103(a) as being unpatentable over Editing Techniques with Final Cut Pro by Michael Wohl (hereinafter Wohl) in view of Final Cut Pro 3 for Macintosh: Visual QuickPro Guide by Lisa Brenneis (hereinafter Brenneis)

Claims 33, 68, and 103: Wohl discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, but does not explicitly disclose updating the timeline display in response to edits made to the corresponding spatially movable representations. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to do so. Brenneis discloses a user may create transitions in the canvas that are reflected in the timeline (Performing edits in the canvas). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the timeline representations are updated responsive to edits made to the corresponding spatially movable representations in Wohl. One would have been motivated to update the timeline representations in order to keep track of the changes made in the project.

***Response to Arguments***

6. Applicant's arguments regarding claims 1, 34, and 69 have been fully considered but they are not persuasive.

Applicant argues, "Neither Zhao nor Weaver discloses, teaches, or suggests the claimed element "an output device for displaying a timeline display, the timeline display comprising: an overview layer...; and for each media clip, a track...wherein the track and the overview layer are concurrently displayed. Applicant further notes, "The Examiner argues that Weaver makes it "obvious" to concurrently display Zhao's timeline pane and layer pane." The Weaver reference is relied upon to teach an overview layer (nested source) 506 which is concurrently displayed with a track (the nested source contains three events: 502, 503, and 504). The nested source contains the three events, and is displayed with the three tracks in Figure 5, showing that the track and overview layer are concurrently displayed.

7. Applicant's arguments with respect to claims 30, 65, 100, 104, 112, and 120 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Steven Robuck, Pro Tools 5 for Macintosh and Windows Visual Quickstart Guide.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMAR ABDUL-ALI whose telephone number is (571)270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA

/Stephen S. Hong/  
Supervisory Patent Examiner, Art  
Unit 2178

3/02/2009